

UNITED STATES DISTRICT COURT

Southern

District of Ohio, Western Division

Mary E. Lentz

BILL OF COSTS

V.

Cincinnati Insurance Company, et al.

Case Number: 01-599

Judgment having been entered in the above entitled action on 6/23/05 against Mary E. Lentz,
Date
the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case (see attached itemization)	\$ 9,300.70
Fees and disbursements for printing	_____
Fees for witnesses (itemize on reverse side)	\$ 58.20
Fees for exemplification and copies of papers necessarily obtained for use in the case	_____
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (please itemize) (see attached itemization)	\$ 3,856.33
	TOTAL
	\$ 13,215.23

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

Signature of Attorney: s/ Jack B. Harrison

Name of Attorney: Jack B. Harrison

For: Cincinnati Insurance Company

Date: 7/ 1 /05

Costs are taxed in the amount of

and included in the judgment.

1000 J. POLYMER SCIENCE: PART A

By:

Deputy Clerk

Date

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Paula Ruppert Dayton, Ohio	1	40.00	---	---	58.7	18.20	\$58.20
					TOTAL		\$58.20

NOTICE**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:**Rule 54 (d)**

“Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court.”

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

“Entry of the judgment shall not be delayed for the taxing of costs.”

FROST BROWN TODD LLC		110909	111000	10/09/02	CHECK NO.	257453
INVOICE NO.	DATE	GL NUMBER	DESCRIPTION	AMOUNT		
480059 100802	10/08/02	11111000000000000000	PAULA RUPPERT		58.20	
						TOTAL
						58.20

Operating Account
U.S. Bank
Cincinnati, OH 45202

56-503
422

FROST BROWN TODD LLC
ATTORNEYS & COUNSELLORS AT LAW
2200 PNC CENTER
CINCINNATI, OHIO 45202

CHECK NO. 257453
CHECK DATE 10/09/02

Pay FIFTY-EIGHT AND 20/100 DOLLARS

VOID AFTER 90 DAYS

\$58.20

THIS CHECK VOID IF WATERMARK IS
NOT VISIBLE ON BACK OF CHECK

TO THE
ORDER OF
Paula Ruppert
1603 Eva Street
Dayton, OH 45410

B. L. Larson

1025745310422050381 000199731613

TRANSCRIPT COSTS

Fees and disbursements for deposition, pretrial and trial transcripts actually and necessarily obtained for use at trial by Defendants in this matter:

Deposition Transcript Mary E. Lentz	\$ 1,558.08
Deposition Transcript Don Desseyen	\$ 176.00
Deposition Transcript Shelly Bascom	\$ 455.70
Deposition Transcripts Mark Huller, David Balzano, Al Matheny	\$ 1,666.55
 TOTAL	 \$ 3,856.33

Final Pretrial Transcript	\$ 161.70
Trial Transcript	\$ 2,287.00
Trial Transcript	\$ 5,831.20
Trial Transcript	\$ 822.80
Trial Transcript	\$ 198.00
 TOTAL	 \$ 9,300.70
 GRAND TOTAL	 <u>\$13,157.03</u>

I N V O I C E

Ace Reporting Services
 30 Garfield Place
 Suite 620
 Cincinnati, OH 45202-4364
 (513) 241-3200 Fax (513) 241-7958

Deborah S. Adams
 Frost Brown Todd, LLC
 2200 PNC Center
 201 East 5th Street
 Cincinnati, OH 45202

INVOICE NO.	DATE	JOB NUMBER
136659	10/15/2002	01-65706
JOB DATE	REPORTER(S)	CASE NUMBER
09/30/2002	WALTPA	01CV599
CASE CAPTION		
Mary Lentz vs. Cincinnati Ins Co		
TERMS		
Due upon receipt		

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Mary E. Lentz	1,507.08
CONCORDANCE INDEXING	45.00 Pages
COURIER	45.00
(TAXABLE \$1,507.08)	6.00

TOTAL DUE >>> 1,558.08

Please disregard invoice# 136579, 10 day expedite was omitted. Thank you.

TAX ID NO. : 31-0725254

(513) 651-6800 Fax 651-6981

Please detach bottom portion and return with payment.

Deborah S. Adams
 Frost Brown Todd, LLC
 2200 PNC Center
 201 East 5th Street
 Cincinnati, OH 45202

Job No. : 01-65706
 Case No. : 01CV599
 Mary Lentz vs. Cincinnati Ins Co
 Invoice No. : 136659
 Date : 10/15/2002
 TOTAL DUE : 1,558.08

PAYMENT WITH CREDIT CARD

Remit To: Ace Reporting Services
 30 Garfield Place
 Suite 620
 Cincinnati, OH 45202-4364

Card Holder's Name: _____
 VISA/MC #: _____
 Exp. Date: _____ Phone #: _____
 Billing Address: _____
 Amount to Charge: _____ Zip: _____
 Cardholder's Signature: _____

Archive Reporting Service

2336 North Second Street
P.O. Box 5559
Harrisburg, PA 17110
(717) 234-5922

Bill To:

Jack B. Harrison
Frost, Brown, Todd LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45201-5715

Ship To:

Number: 18244

Date: December 03, 2002

PAID

Federal ID Number	Date of Service	Reporter
23-2876180	10/31/02	SR

Please remit one copy with payment. 1.5% interest will be added to invoices after 30 days. For Mastercard and Visa payments, please call the office. Archive Reporting Service is a qualified small business concern as defined in 4 PA Code Section 2.32.

334 South Main Street
Dayton, OH 45402

Phone: (937) 222-2259 Fax: (937) 222-9747

Order Date: 02/20/2003

DB Ref.#:

Date of Loss: / /

Your File #:

Your Client: Cincinnati Insurance Co.

Invoice #: 24663

Inv.Date: 02/26/2003

Balance: \$455.70

Bill To:
 Deborah S. Adams, Esq
 Frost Brown Todd LLC
 2200 PNC Center
 201 East Fifth Street
 Cincinnati, OH 45202

Action: Lentz, Mary E.
 VS
 Cincinnati Insurance Co., et al.
Action #: 01-CV-599
Rep: BWD
Cert: CRR

Item	Proceeding/Witness	Description	Amount
1	Nora Michelle (Shelly) Bascom	Transcript Copy (Condensed Only)	\$424.70
2		ASCII Diskette	\$25.00
3		Shipping & Handling	\$6.00
Comments: SCHEDULE DEPOSITIONS ONLINE AT WWW.MOBLEYREPORTING.COM			Sub Total Shipping Tax Total Invoice Payment Balance Due
Federal Tax I.D.: 31-0949029			\$455.70
			\$0.00
			N/A
			\$455.70
			\$0.00
			\$455.70

Please KEEP THIS PART for YOUR RECORDS.

Please FOLD then TEAR HERE and RETURN THIS PART with PAYMENT.

Bill To:
 Deborah S. Adams, Esq
 Frost Brown Todd LLC
 2200 PNC Center
 201 East Fifth Street
 Cincinnati, OH 45202

Deliver To:
 Deborah S. Adams, Esq
 Frost Brown Todd LLC
 2200 PNC Center
 201 East Fifth Street
 Cincinnati, OH 45202

Invoice

Mike Mobley Reporting
334 South Main Street
Dayton, OH 45402

Phone: (937) 222-2259

Fax: (937) 222-9747

Invoice #: 24663

Inv.Date: 02/26/2003

Balance: \$455.70

Job #: 030220BWD

Job Date: 02/20/2003

DB Ref.#:

Date of Loss: / /

Your File #:

Please
pay**FEDERAL I.D. NO. 31-1094258****GIGLIO REPORTING SERVICES**

**3 Cypress Garden
Cincinnati, Ohio 45220
(513) 861-2200**

TO: Jack B. Harrison, Esq.
Frost Brown Todd, LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202-4182

INVOICE NO. 2002-271

DATE: December 13, 2002

RE: Mary Lentz vs. Cincinnati Insurance Co.
Case No. IP01-0662-c-T/G

To Deposition of Mark Huller taken October 28, 2002, David Balzano
taken October 29, 2002 and Allen Matheny taken October 30, 2002

To copy of transcript of Mark Huller	\$ 668.00
To word index of Mark Huller	134.00
To copy of transcript of David Balzano	392.00
To word index of David Balzano	64.00
To copy of transcript of Allen Matheny	306.00
To word index of Allen Matheny	54.00
To 1 ASCII disk	10.00
To one set exhibits for Huller, Balzano and Matheny	33.25
To City Dash fee	<u>5.30</u>
 Total Due:	 \$1,666.55

Note: Your transcripts and exhibits City Dashed to you on December 3, 2002.

Thank you.

Net Due: Upon Receipt

PLEASE RETURN INVOICE WITH PAYMENT

I N V O I C E

Julie A. Wolfer Transcripts
Room 801, Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202
(513) 564-7606
Taxpayer I.D. Number 31-1197897

TO: Deborah S. Adams, Esq. June 15, 2005
Frost Brown Todd
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202 INVOICE NO. 05028

RE: Mary E. Lentz vs. Cincinnati Insurance Company, et al.
Case No. 1:01-CV-599

Transcript ordered by: Deborah S. Adams, Esq.

Proceedings before the Honorable Michael H. Watson, Judge,
in the United States District Court for the Southern
District of Ohio, Western Division.

Transcript of:

Final Pretrial Conference held May 26, 2005.
ASCII disk
49 pages at \$3.30 per page \$161.70
(original)

DRAPER & OESTREICHER
3609 W. EIGHTH STREET
CINCINNATI, OHIO 45205

INVOICE NO. 4304
 June 9, 2005

BILL TO:

Deborah S. Adams, Esq.
Jack B. Harrison
Frost, Todd & Brown
201 E. Fifth Street, Ste. 2200
Cincinnati, Ohio 45202

Fed. Tax ID No.: 31-0993223, Fax No. 513-244-1024

Rptr: sje

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
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RE: Civil No. 09-96

Mary E. Lentz vs. Cincinnati
 Insurance Co., et al.

6/7 and 6/8/05 – Trial Proceedings
 before Judge Michael H. Watson

345	Pages, original transcript (filed), copy provided, same day @6.60 p.p. (Rates set by Judicial Conference)	\$2,277.00
	delivery @	\$ 10.00

total	\$2,287.00
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files emailed 6/7 and 6/8/05 in pdf format.

Thank you.

DRAPER & OESTREICHER
3609 W. EIGHTH STREET
CINCINNATI, OHIO 45205

INVOICE NO. 4319
 June 20, 2005

BILL TO:

Deborah S. Adams, Esq.
 Jack B. Harrison
 Frost, Todd & Brown
 201 E. Fifth Street, Ste. 2200
 Cincinnati, Ohio 45202

Fed. Tax ID No.: 31-0993223, Fax No. 513-244-1024

Rptr: sje/lp

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
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RE: Civil No. 09-96

Mary E. Lentz vs. Cincinnati
 Insurance Co., et al.

6/13 through 6/17/05 – Trial Proceedings
 before Judge Michael H. Watson

882	Pages, original transcript (filed), copy provided, same day @6.60 p.p. (Rates set by Judicial Conference)	\$5,821.20
	delivery @	\$ 10.00

total	\$5,831.20
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files emailed 6/13/04 through 6/17/05 in pdf format.

Thank you.

I N V O I C E

Julie A. Wolfer Transcripts
Room 801, Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202
(513) 564-7606
Taxpayer I.D. Number 31-1197897

TO: Jack B. Harrison, Esq. June 27, 2005
Frost Brown Todd
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202 INVOICE NO. 05029

RE: Mary E. Lentz vs. Cincinnati Insurance Company, et al.
Case No. 1:01-CV-599

Transcript ordered by: Jack B. Harrison, Esq.

Proceedings before the Honorable Michael H. Watson, Judge,
in the United States District Court for the Southern
District of Ohio, Western Division, and Jury.

Transcript of:

Trial Proceedings held on June 22 and 23, 2005.

187 pages at \$4.40 per page \$822.80
(original, expedited)

I N V O I C E

Betty J. Schwab
Official Court Reporter
Room 227
Potter Stewart U.S. Courthouse
100 East 5th Street
Cincinnati, Ohio 45202

(513) 564-7636

June 27, 2005

TO: Jack Harrison, Esq.
Frost Brown Todd LLC
2200 PNC Center
Cincinnati, OH 45202

RE: Lentz v. Cincinnati Insurance

CASE No. 1:01-cv-599
Transcript of first part of closing arguments
Heard on 6/22/05
Before the Honorable Michael H. Watson, Judge

45 original pages expedited at \$4.40

BALANCE DUE: \$198.00

Thank you.

Betty J. Schwab
Betty J. Schwab

THIS TRANSCRIPT HAS BEEN FILED WITH THE COURT

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